



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/659,934	09/11/2003	Tao Wu	042933/267065	5056

826 7590 10/11/2007
ALSTON & BIRD LLP
BANK OF AMERICA PLAZA
101 SOUTH TRYON STREET, SUITE 4000
CHARLOTTE, NC 28280-4000

EXAMINER

DAILEY, THOMAS J

ART UNIT	PAPER NUMBER
----------	--------------

2152

MAIL DATE	DELIVERY MODE
-----------	---------------

10/11/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/659,934

Applicant(s)

WU ET AL.

Examiner

Thomas J. Dailey

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-12, 14-19, 21-22, 24-29, 31-32, and 34-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-12, 14-19, 21, 22, 24-29, 31, 32 and 34-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 6, 13, 20, 23, 30, and 33 were canceled by the amendment filed on August 1, 2007
2. Claims 35-38 were added by the amendment.
3. Claims 1-5, 7-12, 14-19, 21-22, 24-29, 31-32, and 34-38 are pending.

Response to Arguments

4. Applicant's arguments with respect to claims 1-5, 7-12, 14-19, 21-22, 24-29, 31-32, and 34-38 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2-5, 7, 9-12, 14, 16-19, 21, 24, 26-29, 31, and 34-38 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
7. As to claims 2-5, 7 and 35, they recite, "A system according to claim..." This limitation lacks antecedent basis as a system was already claimed in the parent claim. It should recite, "*The* system..."

8. As to claims 9-12, 14, and 36 they recite, "A method according to claim..." ..."

This limitation lacks antecedent basis as a method was already claimed in the parent claim. It should recite, "*The* method..."

9. As to claims 16-19, 21, and 24, they recite, "An apparatus according to claim..."

This limitation lacks antecedent basis as an apparatus claim was already claimed in the parent claim. It should recite, "*The* apparatus..."

10. As to claims 26-29, 31, 34, and 38, they recite, "A computer program according to claim..." This limitation lacks antecedent basis as a computer program product was already claimed in the parent claim. It should recite, "*The* computer program product..."

11. As to claim 37, it recites, "A terminal according to claim 22." Claim 22 is an apparatus claim.

Claim Rejections - 35 USC § 102

12. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

13. Claims 15-19, 21, 25-29, and 31 are rejected under 35 U.S.C. 102(b) as being anticipated by Leppinen (WIPO Publication No. WO 01/33804 A2).

14. As to claim 15, Leppinen discloses an apparatus comprising:

a processor configured to communicate with a host over a second network independent of a first network (column 6, lines 28-34, gateway server reads on processor, web server reads on host),

wherein the processor configured to receive a first response from the host (column 6, line 34-column 7, line 3),

wherein the first response is responsive to a first request sent from a terminal to the host over the first network and the second network (column 3, lines 31-34 and column 6, lines 28-34),

wherein the first request identifies a resource at a first location on the host (column 6, lines 28-34),

wherein the processor is configured to reformulate the first request into a second request that identifies the resource at a second location (column 7, lines 3-7), and

thereafter send the second request to a host of the resource at the second location such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7),

wherein the terminal includes a terminal proxy, and wherein the processor is configured to send the first response and the second response to the terminal proxy (page 7, lines 10-16, mobile station includes a "terminal proxy", as the mobile station receives both the first response (new URL) and the second response (resource)).

15. As to claim 25, it is rejected by the same rationale set forth in claim 15's rejection.

16. As to claims 16 and 26, Leppinen discloses receiving a first response from the host that identifies the resource at the second location (column 6, lines 9-13).

17. As to claims 17 and 27, Leppinen discloses sending a first hypertext transfer protocol (HTTP) request (column 6, lines 28-34), and wherein the host is configured to send a first HTTP response that includes a 3xx "Redirection" status code (column 7, lines 1-3, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

18. As to claims 18 and 28, Leppinen discloses the network proxy is configured to examine the first response to determine if the first response identifies the resource at the second location, and if the first response does not identify the

resource at the second location, send the first response to the terminal (column 6, lines 6-18), and

wherein the network proxy is configured to reformulate the request and sending the second request if the first response does identify the resource at the second location (column 6, lines 19-25).

19. As to claims 19 and 29, Leppinen discloses the terminal is configured to send a first hypertext transfer protocol (HTTP) request (column 5, lines 22-25), wherein the host is configured to send a first HTTP response (column 7, lines 1-3) and wherein the network proxy is configured to examine the first response to determine if the first response includes a 3xx "Redirection" status code to thereby determine if the first response identifies the resource at the second location (column 7, lines 3-16, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

20. As to claims 21 and 31, Leppinen discloses compressing at least one of the first response and the second response before sending the first response and second response to the terminal proxy (column 7, lines 10-16).

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 1-5, 7-12, 14, 22, 24, 32, and 34-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Leppinen, and further in view of what is well known and expected in the art.

23. As to claim 1, Leppinen discloses a system for requesting a resource over at least one network (Abstract), the system comprising:

- a terminal including a client application and configured to send a first request for the resource over a first network and a second network (column 3, lines 31-34 and column 6, lines 28-34, mobile station reads on terminal);

- a host configured to receive the first request, and thereafter send a first response, wherein the first request identifies the resource at a first location on the host (column 5, line 32-column 6, line 1, web server reads on host) ;

- a network proxy configured to communicate with the host over the second network independent of the first network (column, 6, lines 28-34, gateway server reads on network proxy)

wherein the network proxy configured to receive the first response from the host (column 6, line 34-column 7, line 3),

wherein the network proxy configured to reformulate the first request into a second request that identifies the resource at a second location (column 7, lines 3-7), and

wherein the network proxy is configured to send the second request to a host of the resource at the second location such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7), and

a terminal proxy configured to communicate with the client application independent of the first network, wherein the terminal proxy is configured to receive the first response and the second response from the network proxy and the terminal proxy sends the first and second responses to the client application (page 7, lines 10-16, mobile station includes a "terminal proxy").

But, Leppinen does not explicitly disclose the client application reformulates the first request into a third request and sending the third request to the terminal proxy such that the terminal proxy sends the resource to the client application.

However, Official Notice is taken that such steps would have been obvious to one of ordinary skill in the art at the time of the invention, given the explicit teachings of Leppinen. Specifically, Leppinen discloses sending both the

requested resource (the second response) and the new location information (the first response) to the mobile station, with the new location information being given so as to update the history file with the new URL. The claimed invention's motivation for implementing this third request is to make the client application aware of the movement of the resource (page 14, lines 22-27). Therefore, one of ordinary skill in the art would view it as obvious that a reformulated request in Leppinen is already present or that the request is extraneous, as the mobile station already made aware of the new location of the requested resource.

24. As to claim 8, it is rejected by the same rationale set forth in claim 1's rejection.

25. As to claim 22, Leppinen discloses an apparatus for requesting a resource over at least one network, the apparatus comprising:

a client application configured to send a first request for the resource to a host over the first network and the second network (column 3, lines 31-34 and column 6, lines 28-34), the first request identifying the resource at a first location on the host (column 6, lines 28-34), wherein the client application is configured to send the first request in a manner so that the host sends a first response that a network proxy receives over the second network independent of the first network (column 3, lines 31-34 and column 6, lines 28-34), reformulate into a second request that identifies the resource at a second location (column 7, lines 3-7), and send the second request to a host of the resource at the second location

such that the host of the resource at the second location responds to the second request with a second response (column 7, lines 3-7); and

a terminal proxy configured to communicate with the client application independent of the first network, wherein the terminal proxy is configured to receive the second response and thereafter send the second response to the client application (column 10, lines 10-16, the terminal proxy is inherent at the mobile station (terminal) as the second response is received in the form of the header which gives the location of the new URL to the mobile station (terminal)),

wherein the terminal proxy is also configured to receive the first response, wherein the terminal proxy is configured to send the first response to the client application and the second response to the client application (page 7, lines 10-16, mobile station includes a "terminal proxy").

But, Leppinen does not explicitly disclose the client application reformulates the first request into a third request and sending the third request to the terminal proxy such that the terminal proxy sends the resource to the client application.

However, Official Notice is taken that such steps would have been obvious to one of ordinary skill in the art at the time of the invention, given the explicit teachings of Leppinen. Specifically, Leppinen discloses sending both the requested resource (the second response) and the new location information (the first response) to the mobile station, with the new location information being

given so as to update the history file with the new URL. The claimed invention's motivation for implementing this third request is to make the client application aware of the movement of the resource (page 14, lines 22-27). Therefore, one of ordinary skill in the art would view it as obvious that a reformulated request in Leppinen is already present or that the request is extraneous, as the mobile station already made aware of the new location of the requested resource.

26. As to claim 32, it is rejected by the same rationale set forth in claim 22's rejection.

27. As to claims 2 and 9, Leppinen discloses the terminal first network comprises a wireless network (column 5, lines 2-13), and the second network comprises a wireline network (column 5, lines 2-13, mobile station (terminal) uses a wireless network and is in communication with webserver (host) via the gateway (network proxy) using a standard wired network).

28. As to claims 3 and 10, Leppinen discloses sending a first hypertext transfer protocol (HTTP) request (column 6, lines 28-34), and wherein the host is configured to send a first HTTP response that includes a 3xx "Redirection" status code (column 7, lines 1-3, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

29. As to claims 4 and 11, Leppinen discloses the network proxy is configured to examine the first response to determine if the first response identifies the resource at the second location, and if the first response does not identify the resource at the second location, send the first response to the terminal (column 6, lines 6-18), and

wherein the network proxy is configured to reformulate the request and sending the second request if the first response does identify the resource at the second location (column 6, lines 19-25).

30. As to claims 5, and 12, Leppinen discloses the terminal is configured to send a first hypertext transfer protocol (HTTP) request (column 5, lines 22-25), wherein the host is configured to send a first HTTP response (column 7, lines 1-3) and wherein the network proxy is configured to examine the first response to determine if the first response includes a 3xx "Redirection" status code to thereby determine if the first response identifies the resource at the second location (column 7, lines 3-16, the "HTTP redirection message" will inherently be of 3xx status in HTTP).

31. As to claims 7 and 14, Leppinen disclose the invention substantially with regard to the parent claims 6 and 13, and further disclose:

compressing at least one of the first response and the second response before sending the first response and second response to the terminal proxy (Leppinen, column 7, lines 10-16); and

uncompressing the compressed at least one of the first response or the second response before sending the respective response to the terminal (Leppinen, column 7, lines 10-16).

32. As to claims 24 and 34, they are rejected by the same rationale set forth in claim 7's rejection.

33. As to claims 35-38, Leppinen discloses the first response sent from the host, received at the network proxy, received at the terminal proxy and sent from the terminal proxy to the client application of the terminal includes a redirection to the host of the resource at the second location from which to receive the resource to complete the first request (page 7, lines 10-16).

Conclusion

34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J. Dailey whose telephone number is 571-270-1246. The examiner can normally be reached on Monday thru Friday; 9:00am - 5:00pm.

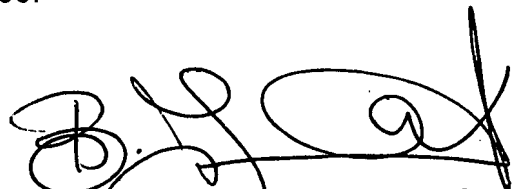
Art Unit: 2152

35. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on 571-272-3913. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

36. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



TJD
10/6/2007



BUNJOB JAROENCHONWANIT
SUPERVISORY PATENT EXAMINER

10/9/07